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MAY 28, 2013

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SUMMARY MINUTES
REGULAR COUNCIL MEETING

May 28, 2013

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, May 28, 2013, beginning at 7:02 p.m.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found at: www.northmiamifl.gov

Flag salute led by Stephen E. Johnson, City Manager

Inspirational Message

- ◆ Mayor Andre D. Pierre, Esquire

ROLL CALL

Vice Mayor Steril	In at 7:05 pm
Councilman Galvin	In at 7:09 pm
Mayor Pierre	Here
Councilman Marcellus	Absent
Councilman Blynn	Here

Additions, Deletions or Withdrawals

(NONE)

SPECIAL PRESENTATION(s)

- ◆ Recognition to *Mario Castricone*, North Miami resident and World War II Veteran, for his 100th Birthday on May 17, 2013

Mayor Pierre recognized *Mario Castricone*, North Miami resident and World War II Veteran, for his 100th Birthday on May 17, 2013. Mayor Pierre presented a Proclamation; Whereas Mayor Pierre proclaimed May 28, 2013, to be *Mario Castricone Day*, in the City of North Miami.

◆ Presentation of a Book to *Mayor Wilson Jeudy, Delmas, Haiti*

Mayor Pierre recognized Vice Mayor Steril introducing *Mayor Wilson Jeudy, Delmas, Haiti, Sister City for North Miami*. Vice Mayor Steril advised through donations the Library has collected over 3,000 books for Delmas, Haiti.

◆ VITA Program Volunteers recognition by *Dr. Lumane Pluviose-Claude, Deputy City Manager*

Mayor Pierre recognized *Dr. Lumane Pluviose-Claude, Deputy City Manager* recognizing volunteers participating in the VITA Program, presenting certificates of appreciation.

◆ Proclamation in honor of "Officer of the Month," April 2013, *Officer Kevin Crespo*

Mayor Pierre recognized Major Annmarie Cardona, recognizing Officer Kevin Crespo "Officer of the Month," for April, 2013. Mayor Pierre presented a Proclamation. Whereas Mayor Pierre proclaimed April, 2013, to be *Kevin Crespo Month*, in the City of North Miami.

Mayor Pierre announced the North Miami Police Department entered into a Memorandum of Understanding (MOU), with the Department of State, Bureau of International Narcotics and Law Enforcement Affairs, for mutual law enforcement and anti-crime efforts around the world.

◆ Recognition to "Employee of the Quarter," *Felicia Bellamy*

Mayor Pierre recognized Becky Jones, Personnel Director; gave a brief report to Council, presenting Employee of the Quarter plaque to *Felicia Bellamy, Information Processing Coordinator, Information Technology*.

◆ Proclamation in honor of *Haitian Heritage Month*

Mayor Pierre recognized Eveline Pierre, Executive Director of the Haitian Heritage Museum, giving a brief report to Council. Mayor Pierre presented a Proclamation. Whereas Mayor Pierre proclaimed May, 2013, to be *Haitian Heritage Month*, in the City of North Miami.

◆ Proclamation in honor of *Jewish American Month*

Mayor Pierre recognized Lawrence Newscamp, Greater Miami Jewish Federation, giving a brief report to Council. Mayor Pierre presented a

Proclamation. Whereas Mayor Pierre proclaimed May, 2013, to be *Jewish American Month*, in the City of North Miami.

- ◆ Universidad Autonoma Del Caribe (UAC-Miami) presentation by *Olivia Cantu and Orietta Bustamante*

Mayor Pierre recognized Olivia Cantu, Universidad Autonoma Del Caribe (UAC-Miami), giving a brief report to Council.

- ◆ Joe Celestin Center – LEED Gold Certification presentation by *Lisa King, Kaufman Lynn Construction*

Mayor Pierre recognized Lisa King, Kaufman Lynn Construction, giving a brief report and presenting a plaque to Council.

- ◆ Proclamation from the Haitian Community of South Florida in honor of Mayor Andre D. Pierre

Vice Mayor Steril recognized Councilman Michael Blynn, Councilman Jean Rodrigue Marcellus (not present) and Mayor Pierre, for years of service. Vice Mayor Steril introduced Gypsy Metillus, from the Peoples Court, giving a brief report to Council and presenting a Proclamation to Mayor Pierre. Public discussion.

CITY EVENTS – ANNOUNCEMENT

Cyncia Celestin, Community Outreach Coordinator, on behalf of Pam Solomon, Public Information Manager, announced upcoming events for the City of North Miami.

CITY PROJECTS UPDATE

Mr. Johnson advised current updates for all projects are provided weekly on the website and encouraged everyone to check out the website for project updates and information. Mr. Johnson reported on sidewalk, roofing, 7th Avenue corridor and Library projects.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – April 23, 2013

TAB B – PROPOSED RESOLUTION CANVASSING THE RETURNS AND CERTIFYING THE RESULTS OF AN ELECTION FOR MAYOR OF THE CITY OF NORTH MIAMI, HELD ON MAY 14, 2013

TAB C – PROPOSED RESOLUTION CANVASSING THE RETURNS AND CERTIFYING THE RESULTS OF AN ELECTION FOR COUNCILPERSON FOR DISTRICT NO. 2 IN THE CITY OF NORTH MIAMI, HELD ON MAY 14, 2013

TAB D – PROPOSED RESOLUTION CANVASSING THE RETURNS AND CERTIFYING THE RESULTS OF AN ELECTION FOR COUNCILPERSON FOR DISTRICT NO. 3 IN THE CITY OF NORTH MIAMI, HELD ON MAY 14, 2013

TAB E - PROPOSED RESOLUTION CERTIFYING THE RESULTS OF AN ELECTION OF THE CITY OF NORTH MIAMI, HELD ON MAY 14, 2013

TAB F - AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND FOR STUDENT TEEN EMPLOYMENT PROGRAM (STEP)

TAB G - PROPOSED RESOLUTION APPROVING THE SELECTION OF EBSARY FOUNDATION CO., AS THE GENERAL CONTRACTOR FOR THE REPLACEMENT AND CONSTRUCTION OF TWO (2) PEDESTRIAN BRIDGES ALONG THE ARCH CREEK BICYCLE/SHARED USE PATH, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 15-12-13 (RE-BID) ARCH CREEK BIKE PATH AND PEDESTRIAN BRIDGE REPLACEMENT PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, IN THE AMOUNT NOT TO EXCEED FOUR HUNDRED THIRTY-TWO THOUSAND NINE HUNDRED FIFTY DOLLARS AND SIXTY-SIX CENTS (\$432,950.66), AND WITH A PROJECT COMPLETION TERM OF ONE HUNDRED EIGHTY (180) CONSECUTIVE CALENDAR DAYS FROM THE CITY'S NOTICE TO PROCEED

TAB H - PROPOSED RESOLUTION APPROVING A FIRST AMENDMENT TO THE CITY OF NORTH MIAMI MARDI GRAS CONSULTATION AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND MAJ INVESTMENT GROUP, LLC

TAB I - PROPOSED RESOLUTION ADOPTING THE CITY OF NORTH MIAMI DOWNTOWN MASTER DEVELOPMENT AND MAJOR CORRIDOR PLAN TO SERVE AS A DESIGN GUIDE FOR FUTURE DEVELOPMENT AND REDEVELOPMENT

TAB J - PROPOSED RESOLUTION CHANGING THE NAME OF THE NORTH MIAMI HOUSING AUTHORITY TO THE "NORTH MIAMI HOUSING AND DEVELOPMENT AUTHORITY", AND FURTHER REVIEWING THE PROPOSED BYLAWS OF THE "NORTH MIAMI HOUSING AND DEVELOPMENT AUTHORITY" PRIOR TO SUBMISSION AND FILING WITH THE STATE OF FLORIDA, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 421, PART I, FLORIDA STATUTES

TAB K - PROPOSED RESOLUTION APPROVING THE PROPOSED UPDATED COMMUNITY PLANNING & DEVELOPMENT COST RECOVERY SCHEDULE OF FEES, PURSUANT TO ARTICLE 3, SECTION 3-202 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS

Councilman Blynn moved to approve the Consent Agenda, Tab A through Tab K, seconded by Councilman Galvin; passed 4-0. Councilman Marcellus absent.

PUBLIC HEARINGS – ORDINANCES, RESOLUTIONS, ZONING, LAND USE ITEMS, ETC.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB L - PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, ENTITLED "PENSIONS AND RETIREMENT", BY AMENDING ARTICLE III, ENTITLED "CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM," DIVISION 1, ENTITLED "GENERALLY", AT SECTION 15-61, ENTITLED "DEFINITIONS" TO ALLOW EMPLOYEES TO PURCHASE CREDITED SERVICE IN THE PLAN BASED UPON THE EMPLOYEE'S PRIOR GOVERNMENTAL SERVICE AND UPON MEETING CERTAIN CONDITIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

Michael A. Etienne, Esquire, City Clerk, read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Councilman Galvin; passed 4-0, by roll call vote. Councilman Marcellus absent.

ORDINANCES – FIRST READING

TAB M – PROPOSED ORDINANCE (FIRST READING) AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI ENTITLED “ADMINISTRATION”, SPECIFICALLY AT ARTICLE III, DIVISION 2, ENTITLED “BOARD OF TRUSTEES OF THE NORTH MIAMI MUSEUM OF CONTEMPORARY ART (MOCA)”, BY AMENDING SECTION 2-61, ENTITLED “ORGANIZATION; TERM OF OFFICE”, TO ALLOW THE MOCA BOARD OF TRUSTEES TO DETERMINE THE MAXIMUM NUMBER OF MEMBERS SERVING ON THE BOARD, IN LIEU OF THE CURRENT MAXIMUM OF THIRTY (30) BOARD MEMBERS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Mayor Pierre; passed 4-0, by roll call vote. Councilman Marcellus absent.

TAB N – PROPOSED ORDINANCE (FIRST READING) AMENDING CHAPTER 19 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “UTILITIES”, SPECIFICALLY AT ARTICLE III, DIVISION 3, ENTITLED “BACKFLOW PREVENTION”, BY AMENDING SECTION 19-80, ENTITLED “INSTALLATION OF BACKFLOW PREVENTION DEVICES; PERMIT, PROCEDURE”, SECTION 19-81, ENTITLED “INSPECTIONS”, AND THE INCLUSION OF A NEW SECTION 19-83, ENTITLED “ENFORCEMENT”, TO ALLOW CITY OF NORTH MIAMI APPROVED AND LICENSED CONTRACTORS TO PERFORM INSTALLATIONS, INSPECTIONS AND CERTIFICATIONS OF BACKFLOW PREVENTION DEVICES REQUIRED IN THE CROSS CONNECTION CONTROL PROGRAM, IN ACCORDANCE WITH LOCAL GOVERNMENT PERMITTING REQUIREMENTS, THE U.S. SAFE DRINKING WATER ACT OF 1974, AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR CONFLICTS, REPEAL, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Mayor Pierre; passed 4-0, by roll call vote. Councilman Marcellus absent.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT

Mr. Etienne reminded everyone of Election Day on Tuesday, June 4, 2013 and early voting days, and hours, beginning, Thursday, April 29th, 2013. Mr. Etienne advised he invited the President of the Election Department of Haiti to come observe the North Miami election process. The President has accepted the invitation.

CITY MANAGER'S REPORT

Mr. Johnson reported on:

- The audit, working with Finance and Budget.
- Eden software system modules with enhanced services.

CITY ATTORNEY'S REPORT

(NONE)

ADJOURNMENT

Meeting adjourned at 9:24 p.m.